

# STATEMENT OF PROCEEDINGS FOR THE REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES HELD IN ROOM 381B OF THE KENNETH HAHN HALL OF ADMINISTRATION 500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

9:30 AM

Tuesday, September 28, 2010

Present: Supervisor Ridley-Thomas, Supervisor Yaroslavsky,

Supervisor Knabe, Supervisor Antonovich and Supervisor

Molina

Invocation led by Bishop Juan Carlos Mendez, Centro Cristiano Betel, South Gate (1).

Pledge of Allegiance led by Michael Hall, Member, Post No. 43, Hollywood, The American Legion (5).

Video Link for the Entire Meeting (03-1075)

<u>Attachments:</u> <u>Video Transcript 1</u> <u>Video Transcript 2</u>

#### I. PRESENTATIONS/SET MATTERS

#### 9:30 a.m.

Presentation of scroll to Deborah Kallick, Vice President of Government and Industry and Relations for the Cedars-Sinai Health System, recognizing Cedars-Sinai Medical Center for its generous donation of an emergency generator to the Junior Blind of America, as arranged by Supervisor Ridley-Thomas.

Presentation of scroll to Colonel R. Mark Toy, commemorating his appointment as the Commander and District Engineer for the Los Angeles District, US Army Corps of Engineers (USACE), as arranged by Supervisor Knabe.

Presentation of scroll to the National Association of Insurance and Financial Advisors, proclaiming September as "Life Insurance Awareness Month" throughout Los Angeles County, as arranged by Supervisor Antonovich.

Presentation of scrolls to the children of the Department of Children and Family Services' "Enrichment Plus" Program who are being recognized for most improved academic performance and best academic performance, as arranged by Supervisor Antonovich.

Presentation of pets to the television audience for the County's Pet Adoption Program, as arranged by Supervisor Antonovich.

Presentation of scroll to Carol Schatz, in recognition of two decades of admirable and distinctive service with the Central City Association of Los Angeles, as arranged by Supervisor Molina. (10-0052)

#### **S-1**. 11:00 a.m.

Health Department Budget Committee of the Whole/Joint Meeting of the Board of Supervisors: (Continued from meeting of 9-21-10)

Report by the Interim Director of Health Services on the financial status of the Department, to include a regular report on the status of the Department's planning activities. (08-1665)

William T Fujioka, Chief Executive Officer, Carol Meyer, Chief Network Officer, and Allan Wecker, Chief Financial Officer, Department of Health Services, presented a report and responded to questions posed by the Board.

Arnold Sachs and Dr. Genevieve Clavreul addressed the Board.

Supervisors Antonovich and Yaroslavsky made a joint motion to direct the Chief Executive Officer to allocate \$1.1 million in Fiscal Year 2010-11 from the Provisional Financing Uses budget to the HO-60050-Level 1 fund for the Olive View-UCLA Medical Center inpatient unit.

After discussion, by Common Consent, there being no objection, the Interim Director of Health Services' report was received and filed and the Chief Executive Officer was directed to allocate \$1.1 million in Fiscal Year 2010-11 from the Provisional Financing Uses budget to the HO-60050-Level 1 fund for the Olive View-UCLA Medical Center inpatient unit.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor Yaroslavsky, Supervisor Knabe, Supervisor Antonovich and Supervisor Molina

Attachments: Report

Motion by Supervisor Antonovich

<u>Video</u>

#### **S-2.** 11:30 a.m.

Status report by the Interim Director of Health Services and the Chief Executive Officer on various key indicators of progress, hospital operation status, and any other issues relating to the transition to the new Los Angeles County Medical Center. (08-3250)

Dr. Genevieve Clavreul addressed the Board.

Carol Meyer, Chief Network Officer, and Pete Delgado, Chief Executive Officer, Department of Health Services, presented a report.

By Common Consent, there being no objection, the Interim Director of Health Services' report was received and filed.

Attachments: Report

Report

# II. STATEMENT OF PROCEEDINGS FOR THE MEETING OF THE HOUSING AUTHORITY OF THE COUNTY OF LOS ANGELES TUESDAY, SEPTEMBER 28, 2010 9:30 A.M.

**1-H.** Recommendation as submitted by Supervisor Antonovich: Find that the property adjacent to the Antelope Valley Senior Center located at 777 W. Jackman St., in the City of Lancaster (5) is not needed for exclusive Housing Authority or County use or operations; find that the proposed use of creating a small community garden provided by the City to the local community will serve a public purpose which benefits the County and its residents; and approve the following: (Relates to Agenda No. 32-B)

Authorize the Executive Director to work with the County to negotiate and complete the conveyance of the Property to the County, as originally intended when the Board approved conveyance in April 1978; negotiate and execute a gratis license agreement with the City of Lancaster; and assign the license agreement to the County, prior to the conveyance of the Property to the County;

Direct the Director of Public Works to waive any fees associated with the establishment of a separate water service connection for the community garden, including the water meter, connection fees, and any related fees associated with the proposed community garden; and

Find that execution of the gratis license agreement between the Housing Authority and the City, the proposed assignment of the license agreement from the Housing Authority to the County, and the proposed transfer of title to the property from the Housing Authority to the County for use of the space as a park are exempt from the California Environmental Quality Act. (10-2292)

On motion of Supervisor Antonovich, seconded by Supervisor Ridley-Thomas, this item was approved.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor Yaroslavsky, Supervisor Knabe, Supervisor Antonovich and Supervisor Molina

<u>Attachments:</u> <u>Motion by Supervisor Antonovich</u>

**2-H.** Recommendation as submitted by Supervisor Molina: Adopt a resolution approving and certifying the accuracy of the information contained in the 2009-2010 Public Housing Assessment System (PHAS) Certification, which includes management data on 2,962 Conventional Public Hosing Program

units administered by the Housing Authority; and authorize the Executive Director to sign the PHAS Certification and to submit the resolution and the certificate to HUD. (10-2293)

On motion of Supervisor Molina, seconded by Supervisor Knabe, this item was adopted.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor Yaroslavsky, Supervisor Knabe, Supervisor Antonovich and Supervisor Molina

#### III. PUBLIC HEARINGS 1-3

1. Hearing on the amended Five-Year Implementation Plan for the East Rancho Dominguez Redevelopment Project Area to include additional activities, as authorized under California Health and Safety Code, Section 33490, which permits amendments to Five-Year Implementation Plans.

(Community Development Commission) (10-1924)

All persons wishing to testify were sworn in by the Executive Officer of the Board. Opportunity was given for interested persons to address the Board. Sinetta Farley addressed the Board. No correspondence was presented.

On motion of Supervisor Ridley-Thomas, seconded by Supervisor Knabe, the Board closed the public hearing and took the following actions:

- Made a finding that the adoption of the amended Five-Year Implementation Plan for the East Rancho Dominquez Redevelopment Project Area is not subject to the California Environmental Quality Act (CEQA) because it is not defined as a project under CEQA and does not have the potential for causing a significant effect on the environment; and
- 2. Adopted the amended Five-Year Implementation Plan for the East Rancho Dominguez Redevelopment Project Area to include additional activities, as authorized under California Health and Safety Code, Section 33490, which permits amendments to Five-Year Implementation Plans.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor Yaroslavsky, Supervisor Knabe, Supervisor Antonovich and Supervisor Molina

Attachments: Board Letter

<u>Video</u>

Protection, to revise the fees for the hazardous materials, hazardous waste, site mitigation, and the California Accidental Release Prevention (Cal-ARP) programs; changing the method for determining the timing of a late payment; adding a new permitting program and associated fees for aboveground petroleum storage tanks; and, raising the reporting threshold for carbon dioxide; also find that the adjustment of the annual fees adopted for the purpose of meeting operational expenses is exempt from the California Environmental Quality Act pursuant to Section 21080(b)(8) of the Public Resources Code and Section 15273 of Title 14, California Code of Regulations; introduce, waive reading and set October 5, 2010 for adoption of ordinance. (Fire Department) (10-2018)

All persons wishing to testify were sworn in by the Executive Officer of the Board. Opportunity was given for interested persons to address the Board. Arnold Sachs addressed the Board. No correspondence was presented.

On motion of Supervisor Yaroslavsky, seconded by Supervisor Knabe, the Board closed the public hearing and introduced, waived reading and ordered placed on the October 5, 2010 agenda for adoption an ordinance entitled, "An ordinance amending Title 12 – Environmental Protection of the Los Angeles County Code relating to increasing fees for the hazardous materials, hazardous waste, site mitigation, and the California Accidental Release Prevention programs; changing the method for determining a late payment; and to add a new permitting program for aboveground petroleum storage tanks."

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor Yaroslavsky, Supervisor Knabe, Supervisor Antonovich and Supervisor Molina

<u>Attachments:</u> Board Letter

3. Hearing on adoption of ordinance to grant a 15-year water pipeline franchise in the City of Norwalk, to install, maintain and operate water pipelines in the Norwalk-Cerritos Island unincorporated area of the County. (Chief Executive Office) (Continued from meeting of 9-21-10) (10-1956)

All persons wishing to testify were sworn in by the Executive Officer of the Board. Opportunity was given for interested persons to address the Board. No interested persons addressed the Board. No correspondence was presented.

On motion of Supervisor Knabe, seconded by Supervisor Antonovich,

the Board closed the public hearing and adopted Ordinance No. 2010-0043F entitled, "An ordinance granting a water pipeline franchise to the City of Norwalk, for the transportation and distribution of water for a period of fifteen (15) years." This ordinance shall take effect October 28, 2010 and become operative October 25, 2010.

This item was duly carried by the following vote:

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor

Yaroslavsky, Supervisor Knabe, Supervisor

Antonovich and Supervisor Molina

Attachments: Ordinance

<u>Video</u>

**Certified Ordinance** 

#### **ADMINISTRATIVE MATTERS**

#### IV. BOARD OF SUPERVISORS 4 - 15

4. Recommendation as submitted by Supervisors Ridley-Thomas and Knabe: Adopt resolution authorizing the Director of Parks and Recreation to submit a grant application for the following, accept the grants, conduct all negotiations, execute and submit all documents, including but not limited to, contracts, agreements, amendments, and payment requests:

The Carver Park Nature Education Urban Trail consisting of a trail development adjacent to George Washington Carver Park and along the Compton Creek Watershed, which is rich in wildlife habitat, at a total estimated project cost of \$827,000 with matching funds of \$413,500 to be provided by the Second Supervisorial District's Proposition A funds; and

The Journey Into the Wild Program at Deane Dana Friendship Community Regional Park, Eaton Canyon Natural Area and Nature Center, and Whittier Narrows Regional Recreational Area, to instill awareness, understanding and promote appreciation of the beauty and value of wildlife habitats to school children, provide wilderness outdoor learning experience, and facilitate safe positive hands-on nature experiences, at a total estimated project cost of \$118,600, with matching funds of \$59,300 to be in-kind services provided by the Department of Parks and Recreation and volunteer hours provided by specific chapters of the Nature Center Association. (10-2165)

On motion of Supervisor Ridley-Thomas, seconded by Supervisor Knabe, this item was adopted.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor Yaroslavsky, Supervisor Knabe, Supervisor Antonovich and Supervisor Molina

Attachments: Motion by Supervisors Ridley-Thomas and Knabe

Fecommendation as submitted by Supervisor Ridley-Thomas: Proclaim November 13, 2010, as "HomeWalk Day" throughout Los Angeles County, and encourage all County employees to participate in the event to raise awareness about the homelessness crisis. (10-2159)

On motion of Supervisor Ridley-Thomas, seconded by Supervisor Yaroslavsky, this item was approved.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor Yaroslavsky, Supervisor Knabe, Supervisor Antonovich and Supervisor Molina

Attachments: Motion by Supervisor Ridley-Thomas

6. Recommendation as submitted by Supervisor Yaroslavsky: Direct the Executive Officer of the Board to prepare and send a five-signature letter to the Honorable Shaun Donovan, Secretary of the U.S. Department of Housing and Urban Development (HUD), to request the adoption of two major revisions to the McKinney Vento funding formula to include the three key factors directly related to homelessness: poverty, availability of affordable housing, and overcrowded housing; and create one formula for all metropolitan regions rather than continuing to use multiple formulas;

Direct the Executive Officer of the Board to send copies of the five-signature letter to the Los Angeles County Congressional Delegation; and

Sign and join in support of the letter prepared by United Way, Los Angeles with 50 other signatories from cities across the country to the U.S. Department of Housing and Urban Development Secretary Donovan, to urge these changes in the McKinney Vento funding formula. (10-2167)

Christine Marge, representing the United Way, addressed the Board.

Supervisor Antonovich made a suggestion to amend Supervisor Yaroslavsky's motion to include in the five-signature letter that the Board recognizes mental health as a critical risk factor, which makes individuals highly vulnerable to prolonged homelessness; and urges HUD to encourage communities to utilize McKinney Vento resources in a manner that comprehensively addresses the need for mental health,

health and substance abuse services, in addition to a range of housing resources, to end and prevent homelessness. Supervisor Yaroslavsky accepted Supervisor Antonovich's amendment.

On motion of Supervisor Yaroslavsky, seconded by Supervisor Antonovich, this item was approved as amended.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor

Yaroslavsky, Supervisor Knabe, Supervisor

Antonovich and Supervisor Molina

Attachments: Motion by Supervisor Yaroslavsky

Memo

Motion by Supervisor Antonovich

**Video** 

7. Recommendation as submitted by Supervisor Yaroslavsky: Proclaim Saturday, October 23, 2010 as the "Out of Darkness Community Walk to Prevent Suicide" day throughout the County of Los Angeles and encourage employees and their families to participate in this event. (10-2166)

On motion of Supervisor Yaroslavsky, seconded by Supervisor Ridley-Thomas, this item was approved.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor

Yaroslavsky, Supervisor Knabe, Supervisor

Antonovich and Supervisor Molina

Attachments: Motion by Supervisor Yaroslavsky

8. Recommendation as submitted by Supervisor Knabe: Declare September 27, 2010 to October 1, 2010 as "National Children's Study week" throughout Los Angeles County; encourage all residents to support this study which will examine how children's genetics and environments interact to affect their health, development, quality of life, and their ability to grow into healthy adults; and extend our congratulations to the University of California-Los Angeles Center for Healthier Children, Families, and Communities and partners for being selected to conduct this very valuable study. (10-2160)

Dr. Michael Lu addressed the Board.

On motion of Supervisor Knabe, seconded by Supervisor Antonovich, this item was approved.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor

Yaroslavsky, Supervisor Knabe, Supervisor

Antonovich and Supervisor Molina

<u>Attachments:</u> <u>Motion by Supervisor Knabe</u>

**Video** 

9. Recommendation as submitted by Supervisor Antonovich: Reduce the rental fee to \$300, excluding the deposit and the cost of liability insurance, for the use of the Los Angeles County Arboretum for the Korean Cultural Heritage Foundation of America's 7th Annual Korean Heritage Festival, to be held October 2, 2010. (10-2132)

On motion of Supervisor Antonovich, seconded by Supervisor Ridley-Thomas, this item was approved.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor

Yaroslavsky, Supervisor Knabe, Supervisor

Antonovich and Supervisor Molina

<u>Attachments:</u> <u>Motion by Supervisor Antonovich</u>

10. Recommendation as submitted by Supervisor Antonovich: Waive the \$200 rental fee, excluding the cost of liability insurance, for use of the County Library parking lot located at 5939 Golden West Ave., for Temple City's annual Festival and Craft Faire, held October 23, 2010 from 7:00 a.m. to 7:00 p.m. (10-2158)

On motion of Supervisor Antonovich, seconded by Supervisor Ridley-Thomas, this item was approved.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor

Yaroslavsky, Supervisor Knabe, Supervisor

Antonovich and Supervisor Molina

<u>Attachments:</u> <u>Motion by Supervisor Antonovich</u>

**11.** Recommendation as submitted by Supervisor Molina: Proclaim October 2010 as "Fire Prevention Month" throughout Los Angeles County. (10-2141)

On motion of Supervisor Molina, seconded by Supervisor Ridley-Thomas, this item was approved.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor

Yaroslavsky, Supervisor Knabe, Supervisor

Antonovich and Supervisor Molina

<u>Attachments:</u> <u>Motion by Supervisor Molina</u>

12. Recommendation as submitted by Supervisor Molina: Proclaim October 2010 as "Quality and Productivity Month" throughout Los Angeles County and recognize County employees' efforts to enhance the quality and productivity level of County services; request the Music Center to waive the fee for use of

the Grand Hall of the Dorothy Chandler Pavilion, excluding the cost of liability insurance; also waive the parking fees for approximately 300 vehicles at the Music Center garage, excluding the cost of liability insurance, for attendees of the 24th Annual Productivity and Quality Awards Program to be held October 20, 2010; direct the Chief Executive Officer and the Director of Internal Services to provide the necessary support services for activities related to the "Quality and Productivity Month" celebrations, including the luncheon; direct the Executive Officer of the Board to schedule the annual presentation to the award winners for the Board meeting of Tuesday, November 9, 2010; and waive parking fees for approximately 40 vehicles at the Music Center garage, excluding the cost of liability insurance, for awardees attending the November 9, 2010 Board Ceremony. (10-2155)

On motion of Supervisor Molina, seconded by Supervisor Ridley-Thomas, this item was approved.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor Yaroslavsky, Supervisor Knabe, Supervisor Antonovich and Supervisor Molina

Attachments: Motion by Supervisor Molina

as "National Disability Employment Awareness Month" throughout Los Angeles County; and encourage all Departments to participate in "A Mainstream Opportunity and Job Fair" for young adults and teens with disabilities, to be held at the Cathedral of Our Lady of the Angels on Wednesday, October 13, 2010, from 10:00 a.m. to 2:00 p.m.; RSVP to <a href="mailto:wearegreattoo@gmail.com">wearegreattoo@gmail.com</a>. (10-2153)

On motion of Supervisor Molina, seconded by Supervisor Ridley-Thomas, this item was approved.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor Yaroslavsky, Supervisor Knabe, Supervisor Antonovich and Supervisor Molina

Attachments: Motion by Supervisor Molina

14. Recommendation as submitted by Supervisor Molina: Proclaim October as "Disability Awareness Month" and October 15, 2010, as "Disability Mentoring Day" throughout Los Angeles County to raise awareness of people with disabilities in today's society and the 21st Century workforce. (10-2154)

On motion of Supervisor Molina, seconded by Supervisor Ridley-Thomas, this item was approved.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor Yaroslavsky, Supervisor Knabe, Supervisor

Antonovich and Supervisor Molina

Attachments: Motion by Supervisor Molina

15. Recommendation as submitted by Supervisor Molina: Waive the \$20 parking fee for 100 vehicles, excluding the cost of liability insurance, at the Music Center Garage, for the Commission on Human Relations' John Anson Ford Human Relations Awards, to be held October 12, 2010 at 9:00 a.m. (10-2162)

On motion of Supervisor Molina, seconded by Supervisor Ridley-Thomas, this item was approved.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor

Yaroslavsky, Supervisor Knabe, Supervisor

Antonovich and Supervisor Molina

<u>Attachments:</u> <u>Motion by Supervisor Molina</u>

#### V. CONSENT CALENDAR 16 - 21

#### **Chief Executive Office**

Program with an estimated cost of \$59,894,000 to be funded from the Extraordinary Maintenance Budget; approve the appropriation adjustment transferring \$1,066,000 in Utility User Tax Cy Pres funds from the Department of Community and Senior Services and \$43,934,000 from the Capital Project/Extraordinary Maintenance Designation to the Extraordinary Maintenance Budget; direct the Chief Executive Officer to provide a recommended schedule for the completion of remaining building assessments of County-owned facilities and the building assessment and database by December 31, 2010, and provide a status report on the Fiscal Year 2010-11 Deferred Maintenance Program by August 15, 2011; and find that the Fiscal Year 2010-11 Deferred Maintenance Program is exempt from the California Environmental Quality Act. **4-VOTES** (10-2147)

Supervisors Ridley-Thomas and Molina made a joint motion to instruct the Chief Executive Officer to report back to the Board within 90 days with:

1. An assessment of the best practices from asset management policies of those entities with assets similar to the County of Los Angeles, such as major cities, state, and federal governments, as well as local school and community college districts. This assessment should consider such aspects as planning, estimation

of costs, funding, and implementation of building repairs and/or replacements;

- 2. Performance measures for achieving results prescribed in the program; and
- 3. The advantages and disadvantages of retaining a third-party expert to assess the County's current deferred maintenance programs and requirements, including establishment of a baseline condition for each County-owned building, estimation of maintenance, repair, and replacement costs, and an appropriate schedule for completing building repairs and replacement.

Arnold Sachs addressed the Board.

Supervisor Antonovich made a motion to continue the actions related to the Acton Rehabilitation Center for one week and approve the remaining recommendations.

On motion of Supervisor Antonovich, seconded by Supervisor Yaroslavsky, this item was approved as amended to:

- 1. Instruct the Chief Executive Officer to report back to the Board within 90 days with:
  - An assessment of the best practices from asset management policies of those entities with assets similar to the County of Los Angeles, such as major cities, state, and federal governments, as well as local school and community college districts. This assessment should consider such aspects as planning, estimation of costs, funding, and implementation of building repairs and/or replacements;
  - Performance measures for achieving results prescribed in the program;
  - The advantages and disadvantages of retaining a third-party expert to assess the County's current deferred maintenance programs and requirements, including establishment of a baseline condition for each County-owned building, estimation of maintenance, repair, and replacement costs, and an appropriate schedule for completing building repairs and replacement; and

2. Continue the actions related to the Acton Rehabilitation Center for one week to October 5, 2010.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor

Yaroslavsky, Supervisor Knabe, Supervisor

Antonovich and Supervisor Molina

<u>Attachments:</u> Board Letter

Motion by Supervisors Ridley-Thomas and Molina

Motion by Supervisor Antonovich

Report Video

17. Recommendation: Approve and instruct the Chair to sign agreements for Special Legal Services with Chief Attorney Michael Gennaco, Deputy Chief Attorney Robert Miller, Deputy Chief Attorney Julie Ruhlin, Office of Independent Review Attorney Angelica Arias, and Office of Independent Review Attorney Cynthia Hernandez, to fill five of the eight attorney positions for the Office of Independent Review associated with the Sheriff and Probation Departments, and such other departments as directed by the Board, effective October 1, 2010 through June 30, 2013, with a total base annual compensation amount not to exceed \$1,009,946, plus actual and necessary expenses incurred; and authorize the Chief Executive Officer to execute all amendments to the agreements for Special Legal Services that are necessary to implement Board directives regarding the functions and scope of services of the Office of Independent Review. (10-2135)

Arnold Sachs addressed the Board.

On motion of Supervisor Antonovich, seconded by Supervisor Yaroslavsky, this item was approved.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor

Yaroslavsky, Supervisor Knabe, Supervisor

Antonovich and Supervisor Molina

**Attachments:** Board Letter

Video

Agreement Nos. 77422, 77423, 77424, 77425 and 77426

18. Recommendation: Consider the Negative Declaration together with the fact that no comments were received during the public review process for a four-year license with California Science Center (Licensor) for occupancy of 3,465 sq ft of office space and 15 parking spaces at 700 Exposition Park Drive, Los Angeles (2) for an Environmental Service Center, Constituent Service Center, and Second District Field Office (Project); find that the Project will not have a significant effect on the environment or adverse effect on

wildlife resources; authorize the Chief Executive Officer to complete and file a Certificate of Fee Exemption for the project; approve and instruct the Chair to sign a four-year license agreement for the Project at a fixed annual base rental rate of \$105,822, to be abated during the initial four-year term to offset the cost of the Licensor tenant improvements; authorize the Director of Internal Services, at the direction of the Chief Executive Office, to construct County and Licensor tenant improvements, acquire furniture, telephone, data and low voltage systems at a maximum project budget of \$1,059,000 funded from the Second Supervisorial District Funds in the Chief Executive Project and Facility Development Budget; and authorize the Chief Executive Officer and the Director of Internal Services to implement the Project effective upon Board approval and to commence rent after completion of the tenant improvements and acceptance by the County. (10-2146)

# On motion of Supervisor Knabe, seconded by Supervisor Ridley-Thomas, this item was duly carried by the following vote:

**Ayes:** 4 - Supervisor Ridley-Thomas, Supervisor Knabe,

Supervisor Antonovich and Supervisor Molina

**Abstentions:** 1 - Supervisor Yaroslavsky

<u>Attachments:</u> Board Letter

Agreement No. 77419

19. Recommendation: Certify that the Addendum to the previously certified Final Environmental Impact Report for the Plaza de Cultura y Artes Project (1) has been completed in compliance with the California Environmental Quality Act and reflects the independent judgment and analysis of the Board and that the Board has reviewed and considered the information contained in the Addendum and Final Environmental Impact Report prior to approving the project, and approve the Addendum; also approve the Refinements to the Approved Plaza de Cultura y Artes Project to refocus the space on outdoor activities from previously proposed indoor activities, which Refinements support its designation as a Smithsonian Affiliate. (10-2148)

# On motion of Supervisor Knabe, seconded by Supervisor Ridley-Thomas, this item was duly carried by the following vote:

Ayes: 4 - Supervisor Ridley-Thomas, Supervisor Knabe,

Supervisor Antonovich and Supervisor Molina

Noes: 1 - Supervisor Yaroslavsky

<u>Attachments:</u> Board Letter

**20.** Recommendation: Approve and instruct the Chair to sign an amendment to the contract with Parking Concepts, Inc., to extend the term for one year from

October 16, 2010 through October 15, 2011, with an optional extension up to six one-month periods, at an annual cost not to exceed \$1,668,431 for the one-year extension and a prorated amount for the additional monthly optional periods if used; authorize the Director of Beaches and Harbors to exercise the optional extension periods; and to increase the contract amount by a sum not to exceed 10% during the one-year extension period, as well as during the optional extension periods for additional, unforeseen services within the scope of the contract. (**Department of Beaches and Harbors**) (10-2131)

On motion of Supervisor Knabe, seconded by Supervisor Ridley-Thomas, this item was approved.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor Yaroslavsky, Supervisor Knabe, Supervisor Antonovich and Supervisor Molina

<u>Attachments:</u> <u>Board Letter</u>

Agreement No. 75379, Supplement 1

21. Recommendation: Approve and authorize the County Librarian to execute a Memorandum of Understanding (MOU) with the City of Manhattan Beach (City) (4), which will govern the use of property tax dollars apportioned to the County from property within the City for the purpose of providing library services at the Manhattan Beach Library (Library); authorize the County Librarian to execute amendments to the terms of the final MOU; also approve and authorize the County Librarian to execute an agreement with the City at an amount not to exceed \$183,000, for the City to retain an architect and library consultant for the pre-design work for the facility improvement and enhancement of the Library, and to execute amendments and change notices subject to the terms of the final agreement; approve the appropriation adjustment transfer in the amount of \$183,000 from a designation account in the Public Library's Operating Budget, to the Other Charges account in the Public Library's Operating Budget, for the reimbursement of the architectural and consulting services costs to the City; and find that the project is exempt from the California Environmental Quality Act. (Public Library) 4-VOTES (10-2128)

On motion of Supervisor Knabe, seconded by Supervisor Ridley-Thomas, this item was approved.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor Yaroslavsky, Supervisor Knabe, Supervisor Antonovich and Supervisor Molina

Attachments: Board Letter

### VI. FISCAL YEAR 2010-11 SUPPLEMENTAL BUDGET RESOLUTION AGENDA 22 - 31

- Chief Executive Office, Risk Management, Annual Report for Fiscal Year 2010-11, as requested at the meeting of October 16, 2007. (10-2133)
   By Common Consent, there being no objection, this item was continued to November 9, 2010.
- 23. County Counsel Litigation Cost Manager and Risk Manager's joint report that identifies specific projects or actions accomplished during the year that supported the goal of risk management and reduction of the County's exposure to litigation and identifies joint goals and objectives for the subsequent year, as requested at the meeting of October 16, 2007. (10-2134)

By Common Consent, there being no objection, this item was continued to November 9, 2010.

<u>Items From Previous Board Meetings Which Were Deferred to Supplemental</u> **Budget Resolution** 

**24.** Report by Chief Executive Officer and the Probation Department on the funding needs for Department of Justice (DOJ) issues. (10-2137)

By Common Consent, there being no objection, this item was continued two weeks to October 12, 2010 at 1:00 p.m.

Attachments: Report

25. Report by the Chief Executive Officer, in coordination with the Public Defender and Alternate Public Defender, regarding the Professional Appointee Court Expenditures (PACE) System and whether creating a panel of Family Law lawyers will reduce costs. (10-2138)

By Common Consent, there being no objection, this item was continued two weeks to October 12, 2010 at 1:00 p.m.

Attachments: Report

**26.** Report by the Library Commission, working with the County Librarian, Chief Executive Officer and other stakeholders, to review the current funding structure for the County Public Library system and ways to address chronic shortfalls in Library funding. (10-2139)

On motion of Supervisor Antonovich, and by Common Consent, there being no objection, this item was continued to November 30, 2010.

#### **Budget Matters**

27. Recommendation as submitted by the Auditor-Controller: Approve the final budget adjustment for Fiscal Year 2009-10. **4-VOTES** (10-2140)

William T Fujioka, Chief Executive Officer, and John Naimo, Assistant Auditor-Controller, responded to questions posed by the Board. Wendy Watanabe, Auditor-Controller, was also present.

After discussion, on motion of Supervisor Knabe, and by Common Consent, this item was approved.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor Yaroslavsky, Supervisor Knabe, Supervisor

Antonovich and Supervisor Molina

Attachments: Board Letter

<u>Video</u>

28. Chief Executive Officer's recommendation to approve an amendment to Title 6, Salaries, of the County Code to update the departmental articles to reflect the positions included in the Fiscal Year 2010-11 Final Budget. Approve ordinance for introduction amending Title 6 of the County Code, to reflect a

change in the program title for Alcohol and Drug Programs Administration; adding, deleting, and/or changing certain classifications and numbers of ordinance positions in the departments of Auditor-Controller, Beaches and Harbors, Chief Information Office, Children and Family Services, Consumer Affairs, Coroner, County Counsel, Fire, Health Services, Human Resources, Internal Services, Mental Health, Parks and Recreation, Probation, Public Health, Public Social Services, Public Works, Regional Planning, Registrar-Recorder, Sheriff, and Treasurer and Tax Collector in conjunction with the Fiscal Year 2010-11 Final Budget. (10-2142)

By Common Consent, there being no objection, this item was continued two weeks to October 12, 2010 at 1:00 p.m.

Attachments: Board Letter

- **29.** Recommendation as submitted by the Director of Health Services to: **4-VOTES** 
  - Approve the Fiscal Year 2009-10 Year-End Budget Adjustment for the Department of Health Services to increase the designation balance as of June 30, 2010, to \$3.9 million; and
  - b. Authorize the Fiscal Year 2009-10 Budget Adjustment to realign the available funding for the Measure B Special Revenue Fund. (10-2143)

William T Fujioka, Chief Executive Officer, Allan Wecker, Chief Financial Officer, and Efrain Munoz, Associate Chief Financial Officer, Department of Health Services, responded to questions posed by the Board.

After discussion, on motion of Supervisor Ridley-Thomas, seconded by Supervisor Knabe, this item was approved.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor Yaroslavsky, Supervisor Knabe, Supervisor

Antonovich and Supervisor Molina

Attachments: Board Letter

Video

**30.** Recommendation as submitted by the Auditor-Controller: Adopt budget resolution supplementing the Fiscal Year 2010-11 budget adopted on June 7, 2010. (10-2144)

William T Fujioka, Chief Executive Officer, and John Naimo, Assistant Auditor-Controller, responded to questions posed by the Board. Wendy Watanabe, Auditor-Controller, was also present.

By Common Consent, there being no objection, this item was adopted.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor

Yaroslavsky, Supervisor Knabe, Supervisor

Antonovich and Supervisor Molina

<u>Attachments:</u> Board Letter

Video

- 31. Recommendation as submitted by the Chief Executive Officer regarding use of additional Fiscal Year 2009-10 General Fund, Hospital Enterprise and Special Funds/Districts' Fund Balance in Fiscal Year 2010-11. **4-VOTES** 
  - a. Approve the recommended changes and corresponding appropriation adjustments to the Fiscal Year 2010-11 General County Budget. These changes transfer \$135,918,000 from the Appropriation for Contingencies to various budgets; increase appropriation that is fully offset by revenue; and transfer appropriation from one budget unit to another or redirect existing appropriation or revenue as a result of ministerial changes;
  - b. Approve recommended changes and corresponding appropriation adjustments to the Fiscal Year 2010-11 Special Funds/Special Districts Budget, which are fully offset with various financing sources; and
  - c. Authorize the Chief Executive Officer to execute funding agreements with Mountains Restoration Trust for the acquisition of open space parcels known as the Cold Creek High Trail in the amount of \$800,000, the Secret Valley Property in the amount of \$255,000; and with the LA Plaza de Cultura y Artes Foundation in the amount of \$2,500,000 for general capital purposes. (10-2145)

William T Fujioka, Chief Executive Officer, presented a report and responded to questions posed by the Board.

On motion of Supervisor Knabe, seconded by Supervisor Yaroslavsky, this item was approved.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor

Yaroslavsky, Supervisor Knabe, Supervisor

Antonovich and Supervisor Molina

Attachments: Board Letter

Video

VII. MISCELLANEOUS

- 32. Additions to the agenda which were posted more than 72 hours in advance of the meeting, as indicated on the supplemental agenda.
- **32-A.** Recommendation as submitted by Supervisor Antonovich: Extend the \$10,000 reward offered for any information leading to the apprehension and/or conviction of the suspect who was responsible for the death of Joo Lee, who was struck by a hit and run driver on the 3000 block of Montrose Avenue in Glendale, on January 1, 2010 at approximately 7:14 p.m. (10-0150)

On motion of Supervisor Antonovich, seconded by Supervisor Knabe, this item was approved.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor Yaroslavsky, Supervisor Knabe, Supervisor

Antonovich and Supervisor Molina

Attachments: Motion by Supervisor Antonovich

**Notice of Reward** 

32-B. Recommendation as submitted by Supervisor Antonovich: Pursuant to Government Code Section 26227, find that the property adjacent to the Antelope Valley Senior Center located at 777 W. Jackman St., in the City of Lancaster (5) is not needed for exclusive Housing Authority or County use or operations; find that the proposed use for a small community garden provided by the City to the local community will serve a public purpose, which benefits the County and its residents; and find that the proposed assignment of the license agreement from the Housing Authority to the County and the proposed transfer of title to the subject property from the Housing Authority to the County for use of the space as a park are exempt from the California Environmental Quality Act. (Relates to 1-H) (10-2212)

On motion of Supervisor Antonovich, seconded by Supervisor Ridley-Thomas, this item was approved.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor

Yaroslavsky, Supervisor Knabe, Supervisor

Antonovich and Supervisor Molina

Attachments: Motion by Supervisor Antonovich

**32-C.** Recommendation as submitted by Supervisors Molina and Ridley-Thomas: Direct the Director of Public Works to schedule the public hearing for plastic bags from October to November 16, 2010, so that the public has ample time to review all of the alternatives in the Environmental Impact Report, including Alternative 5: Ban plastic carryout bags and impose a charge on paper carryout bags at all supermarkets, grocery stores, pharmacies and drug stores, convenience stores and food marts. (10-2218)

On motion of Supervisor Molina, seconded by Supervisor

Ridley-Thomas, this item was approved.

Ayes: 5 - Supervisor Ridley-Thomas, Supervisor

Yaroslavsky, Supervisor Knabe, Supervisor

Antonovich and Supervisor Molina

<u>Attachments:</u> <u>Motion by Supervisors Molina and Ridley-Thomas</u>

**32-D.** Recommendation as submitted by Supervisor Molina: Adopt a resolution approving and certifying the accuracy of the information contained in the 2009-2010 Public Housing Assessment System (PHAS) Certification, which includes management data on 2,962 Conventional Public Hosing Program units administered by the Housing Authority; and authorize the Executive Director to sign the PHAS Certification and to submit the resolution and the certificate to HUD. (10-2217)

See Agenda Item No. 2-H

Attachments: Motion by Supervisor Molina

- 33. Items not on the posted agenda, to be presented and (if requested) referred to staff or placed on the agenda for action at a future meeting of the Board, or matters requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.
- **33-A.** Recommendation as submitted by Supervisor Knabe: Instruct the Fire Chief to take the lead in reviewing and developing a comprehensive and coordinated update to the County's 2004 Emergency Oil Spill Contingency Plan, involving the Sheriff's Department and the Departments of Beaches and Harbors and Public Works, as well as the Coast Guard, local coastal cities and oil companies, as appropriate. (10-2236)

On motion of Supervisor Knabe, and by Common Consent, this item was introduced for discussion and placed on the agenda of October 5, 2010.

Attachments: Motion by Supervisor Knabe

**33-B.** Recommendation as submitted by Supervisor Antonovich: Direct the Chief Executive Officer to send a five-signature letter to the County's Legislative Delegation in Sacramento to proactively work with the State Legislature to rescind the portion of Government Code Section 69926, which exempts the trial courts from paying Retiree Health Insurance benefits for Sheriff's deputies assigned to the courts. (10-2237)

On motion of Supervisor Antonovich, and by Common Consent, this item was introduced for discussion and placed on the agenda of October 5, 2010.

Attachments: Motion by Supervisor Antonovich

Memo

34. Recommendations by individual Supervisors to establish, extend or otherwise modify cash rewards for information concerning crimes, consistent with the Los Angeles County Code.

Public Comment 35

**35.** Opportunity for members of the public to address the Board on items of interest that are within jurisdiction of the Board.

Walter Becktel, Mollie Ginyard, Eric Preven, Richard Robertson, Arnold Sachs and David Serrano addressed the Board.

In addition, Dr. Genevieve Clavreul addressed the Board on the subject of CS-1, prior to the Board adjourning to Closed Session, Public Employment, Government Code Section 54957, consideration of candidate for appointment to the position of Director of Health Services; and Conference with Labor Negotiator, Government Code Section 54957.6, agency representative William T Fujioka, Chief Executive Officer, unrepresented employee, candidate for position of Director of Health Services. (10-2233)

Attachments: Video

#### **Administrative Memo**

Supervisor Antonovich requested the Chief Executive Officer to review and report back on the feasibility of amending the Civic Arts ordinance to allow Civic Art funds to be used for compelling and urgent capital needs. (10-2277)

Attachments: Administrative Memo

Report

#### <u>Administrative Memo</u>

Supervisor Antonovich requested the Director of Public Works to report back with recommendations on how to ensure regular inspections of iron piping occur as well as the feasibility of replacing iron piping with plastic piping. (10-2278)

<u>Attachments:</u> <u>Administrative Memo</u>

Report

#### Administrative Memo

Supervisor Antonovich requested the Chief Executive Officer to report back to the Board mid-year 2011 on departments that do not follow through on loan repayments from the Quality and Productivity Commission. (10-2297)

<u>Attachments:</u> <u>Administrative Memo</u>

Report

#### Adjournments 36

**36.** On motions duly seconded and unanimously carried, the meeting was adjourned in memory of the following persons:

#### **Supervisor Molina**

Alejandro Garcia Morales

#### **Supervisor Ridley-Thomas**

Audrey Mae Fowler Monroe Hewing

#### Supervisor Yaroslavsky and All Members of the Board

Ruth Cohen Abel Perrin

#### **Supervisors Yaroslavsky and Molina**

George A. Morrison

#### **Supervisors Yaroslavsky and Knabe**

Jon Persoff

#### Supervisor Yaroslavsky

Sally Menke Dallas Russell Elizabeth Spitz Jim Wickser

#### **Supervisor Knabe**

Paul Franklin Dwight, Sr. Gunichi "George" Kawamoto

#### **Supervisors Antonovich and Yaroslavsky**

**Dorothy Levinson Factor** 

#### **Supervisors Antonovich and Knabe**

Jesse Cruz

#### **Supervisor Antonovich**

Jamie Alonzo

Luis Arroyo

Norman Barker, Jr.

**Edward Carson Campbell** 

William T. Carlton

Dorothy B. Chorovich

Lurline Avalon Copeland

Danny Charles Dunnagan

Lainee A. Ellman

Fred Fraijo

Gloria Green

James E. Green

John E. H. Hayes

Gorden Jack

Beverly R. Jones

Arthur C. Krelle

Royal Charles "Chuck" Lang

Carmina Maria McAlpin

Patricia Ann Moody

Helen Irene Preasmyer

Ileen Spann

Michael Mitar Vukazich

Craig B. Zasadil (10-2250)

# VIII. ITEMS CONTINUED FROM PREVIOUS MEETINGS FOR FURTHER DISCUSSION AND ACTION BY THE BOARD

A-1. Continue local emergencies as a result of the following: (a) Discovery of an infestation of fruit flies, as proclaimed on May 10, 1990; (b) Conditions of extreme peril to the safety of persons and property arising as a result of fires within Los Angeles County, as proclaimed on October 13, 2008 and ratified by the Board on October 14, 2008; (c) Conditions of extreme peril to the safety of persons and property arising as a result of fires within Los Angeles County, as proclaimed on November 14, 2008 and ratified by the Board on November 18, 2008; (d) Conditions of extreme peril to the health and safety of persons arising as a result of Swine Influenza A virus within Los Angeles County, as proclaimed on April 28, 2009 and ratified by the Board on April 28, 2009; (e) Conditions of extreme peril to the safety of persons or property arose as a result of wild fires in the Cities of La Cañada Flintridge and Rancho Palos Verdes as proclaimed on August 28, 2009 and ratified by the Board on September 1, 2009; (f) Conditions of extreme peril to the health and safety of property arising as a result of Winter Storms 2010 in the County of Los Angeles, as proclaimed on January 18, 2010, and ratified by the Board on January 26, 2010; and (g) Conditions of extreme peril to the health and safety

of property arising as a result of the wild fires in the Cities of Acton and Palmdale as proclaimed on July 29, 2010 and ratified by the Board on August 10, 2010.

This item was reviewed and continued.

#### IX. CLOSED SESSION MATTERS FOR SEPTEMBER 28, 2010

#### **CS-1**. PUBLIC EMPLOYMENT

(Government Code Section 54957)

Consideration of candidate for appointment to the position of Director of Health Services.

#### CONFERENCE WITH LABOR NEGOTIATOR

(Government Code Section 54957.6)

Agency Representative: William T Fujioka, Chief Executive Officer.

Unrepresented Employee: Candidate for position of Director of Health Services.

No reportable action was taken. (10-0317)

# **CS-2.** <u>CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION</u> (Subdivision (b) of Government Code Section 54956.9)

Significant exposure to litigation (one case)

No reportable action was taken. (10-2041)

# **CS-3.** <u>CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION</u> (Subdivision (b) of Government Code Section 54956.9)

Significant exposure to litigation (one case)

No reportable action was taken. (10-2216)

#### X. REPORT OF CLOSED SESSION FOR SEPTEMBER 21, 2010

# (CS-1) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Subdivision (b) of Government Code Section 54956.9)

Significant exposure to litigation (one case)

No reportable action was taken. (10-2069)

#### (CS-2) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

(Subdivision (c) of Government Code Section 54956.9)

Initiation of Litigation (one case)

#### **ACTION TAKEN**

The Board authorized the County to file a petition for writ of mandate challenging the decision in the Employee Relations Commission matter number UFC04-08.

The vote of the Board was unanimous with Supervisor Antonovich being absent. (10-2126)

#### (CS-3) EVALUATION OF PERFORMANCE OF PUBLIC EMPLOYEE

(Government Code Section 54957)

#### **ACTION TAKEN**

The Board appointed Amy Naamani as the Acting Lead Attorney, Children's Special Investigations Unit, effective October 1, 2010.

The vote of the Board was unanimous with Supervisor Antonovich being absent. (10-2043)

#### (CS-4) CONFERENCE WITH LABOR NEGOTIATORS

(Government Code Section 54957.6)

Agency designated representatives: William T Fujioka, Chief Executive Officer and designated staff

Employee Organization(s) for represented employees: The Coalition of County Unions, AFL-CIO; Local 721, SEIU; Union of American Physicians and Dentists; Guild For Professional Pharmacists; Peace Officers Counsel of California; Association of Public Defender Investigators; Assistant Deputy District Attorneys; Los Angeles County Association of Environmental Health Specialists, Professional Peace Officers Association; and

Unrepresented employees (all)

No reportable action was taken. (08-1197)

#### Reconvene 37

**37.** Open Session adjourned to Closed Session at 10:17 a.m. following Board presentations to:

#### CS-1.

Consider candidate for appointment to the position of Director of Health Services, pursuant to Government Code Section 54957

Confer with Labor Negotiators, pursuant to Government Code Section 54957.6:

Agency Representative: William T Fujioka, Chief Executive Officer

Unrepresented Employee: Candidate for position of Director of Health Services

Closed Session convened at 10:23 a.m. Present were Supervisors Mark Ridley-Thomas, Zev Yaroslavsky, Don Knabe, Michael D. Antonovich, and Gloria Molina, Chair presiding.

Closed Session adjourned at 11:37 a.m. Present were Supervisors Mark Ridley-Thomas, Zev Yaroslavsky, Don Knabe, Michael D. Antonovich, and Gloria Molina, Chair presiding.

Open Session reconvened at 11:39 a.m. Present were Supervisors Mark

Ridley-Thomas, Zev Yaroslavsky, Don Knabe, Michael D. Antonovich, and Gloria Molina, Chair presiding. (10-2275)

#### Closing 38

**38.** Open Session adjourned to Closed Session at 1:47 p.m. following adjournments to:

#### CS-2.

Confer with legal counsel on anticipated litigation, significant exposure to litigation (one case), pursuant to subdivision (b) of Government Code Section 54956.9;

#### CS-3.

Confer with legal counsel on anticipated litigation, significant exposure to litigation (one case), pursuant to subdivision (b) of Government Code Section 54956.9

Closed Session convened at 1:52 p.m. Present were Supervisors Mark Ridley-Thomas, Zev Yaroslavsky, Don Knabe, Michael D. Antonovich, and Gloria Molina, Chair presiding.

Closed Session adjourned at 2:35 p.m. Present were Supervisors Zev Yaroslavsky, Don Knabe, Michael D. Antonovich, and Gloria Molina, Chair presiding. Absent was Supervisor Mark Ridley-Thomas.

The Board of Supervisors of the County of Los Angeles, and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts, adjourned its meeting at 2:35 p.m. following adjournments.

The next regular meeting of the Board will be Tuesday, October 5, 2010 at 9:30 a.m. (10-2276)

The foregoing is a fair statement of the proceedings of the regular meeting held September 28, 2010, by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

Sachi A. Hamai, Executive Officer Executive Officer-Clerk of the Board of Supervisors

By

Don Ashton
Deputy Executive Officer
Operations